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# **PARLIAMENT OF ZIMBABWE**

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**THIRD SESSION – SEVENTH PARLIAMENT**  
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**THIRD REPORT**

**OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS AND NATIONAL HOUSING**

**ON**

**CONSTITUTIONALISATION OF HOUSING**

*Presented to Parliament January 2011*

**[S.C 1, 2011]**

## **ORDERED IN TERMS OF STANDING ORDER No. 159:**

- (1) At the commencement of every session, there shall be as many committees to be designated according to government portfolios as the Standing Rules and Orders Committee may deem fit.
- (2) It shall be the function of such committees to examine expenditure administration and policy of government departments and other matters falling under their jurisdictions as Parliament may, by resolution determine.
- (3) The members of such committees shall be appointed by the Standing Rules and Orders Committee, from one or both Houses of Parliament, and such appointments shall take into account the expressed interests or expertise of the Members and Senators and the political and gender composition of Parliament.

## **TERMS OF REFERENCE OF PORTFOLIO COMMITTEES S.O 160**

Subject to these Standing Orders, a portfolio committee shall-

- a) consider and deal with all Bills and Statutory Instruments or other matters which are referred to it by or under a resolution of the House or by the Speaker;
- b) consider or deal with an appropriation or money bill or any aspect of an appropriation or money bill referred to it by these Standing Orders or by or under resolution of this House;
- c) monitor, investigate, enquire into and make recommendations relating to any aspect of the legislative programme, budget, policy or any other matter it may consider relevant to the government department falling within the category of affairs assigned to it, and may for that purpose consult and liaise with such a department; and
- d) consider or deal with all international treaties, conventions and agreements relevant to it, which are from time to time negotiated, entered into or agreed upon.

On Tuesday, 13<sup>th</sup> July 2010, the Speaker announced that the Committee on Standing Rules and Orders nominated the following members to serve on the Portfolio Committee on Public Works and National Housing:-

Hon Chimhini D.A.

Hon Chimbetete W.M.

Hon Chrume O.

Hon Jiri M.

Hon Kachepa N.

Hon Mabhena G.

Hon Mudzuri H.

Hon Mhashu, F. G.

Hon Ndambakuwa F.

Hon Ndebele G.

Hon Ngwenya B.

Hon Shirichena E.

Hon Sindi C.

**Hon Mupukuta to be Chairperson**

## **1. Introduction**

The Portfolio Committee on Public works and National Housing resolved to get an appreciation of how sector stakeholders to the Ministry of National Housing and Social Amenities supported the activities of communities in addressing housing issues. Furthermore, The Committee sought to understand the processes these communities used to secure land, develop infrastructure and houses as well as the challenges encountered in order to find the possible ways to overcome these challenges. It also resolved to establish the effectiveness and efficiency of the housing delivery options and support programmes available to the stakeholders. These resolutions were arrived at after the realization that solutions and recommendations on housing issues made at both the Victoria Falls Communiqué and the National Housing Convention were good but would not offer short-term and immediate solutions to the escalating housing crisis in our nation. Thus, the committee sought to discover, through visiting Epworth and Kariba Town Housing Projects supported by Zimbabwe Homeless Peoples' Federation in partnership with Dialogue on Shelter for the Homeless in Zimbabwe Trust, the strategies that they are employing. The committee then consolidated a position to this cross cutting- issue after consultations with sector stakeholders.

## **2. Objectives**

The objectives of the visit were as follows:

- A) To appreciate the interface between the Ministry, Local Authorities and the Housing Communities.
- B) To understand the pro- poor development strategies used to address poverty and homelessness.
- C) To develop a wealthy first- hand information from poor communities that defines their own settlement realities.
- D) To recommend to the Executive specific actions to take in order to address, alleviate and rectify human settlement shortcomings.

## **3. Methodology**

The Committee employed the following methods in order to achieve its goals:

- i) Written submission from the National Housing Convention
- ii) Oral evidence from Ministry of National Housing and Social Amenities.
- iii) Oral briefing from sector stakeholders
- iv) Study visits on an incremental approach
- v) Capacity Building Workshop with the Ministry of National Housing and Social

Amenities in partnership with sector stakeholders.

#### **4. Findings of the Committee**

##### **a) Summary of the Pro-poor Development Strategies used**

Prior to conducting infrastructure and housing projects on a big scale, Zimbabwe Homeless Peoples' Federation (ZHPF) undertakes pilot projects either through a house model or pilot sanitation blocks exhibitions.

These pilots and house models serve four purposes as follows:

- i) To showcase their capabilities and practicalities of their solutions.
- ii) To demonstrate new innovations regarding urban challenges.
- iii) To provide a training platform and develop skills in readiness for the subsequent scaled-up projects or replication on a wider scale.
- iv) To make negotiations with local authorities and central government easier through witnessing these models.

Members of the Zimbabwe Homeless Peoples' Federation create grassroots-centered pools of funds through housing savings schemes. These are augmented by external funds outsourced from funders channelled through Dialogue on Shelter. The financial resources mobilized are then used to negotiate with Local Authorities and government for securing affordable land. Members are allocated virgin land that they service after negotiating successfully.

The Federation then uses the model of incremental development whereby priority is given to the most important facilities and then gradually followed by the least basic ones. Incremental development is done on either infrastructure or housing development. Water and sewer are put first while roads come at a later stage on infrastructure development. At the beginning those basic services are used communally, and then families graduate into individualized connections when they can afford them.

In housing development, poor communities start both with a single or two-roomed unit with a temporary toilet and a stand –pipe and upgrade their structures until the whole house is complete.

During the incremental development process, a contractor could be engaged but the members would be involved actively from the design process to clearing and installation of sewer and water services in order to cut costs.

#### **b) Observations- Epworth Local Board**

It was submitted to the Committee with regret that about 1% of the houses in the area meet the housing standards. It was also pointed out that over 65% of the people in the town are informally settled. There are seven wards in Epworth of which wards 1 to 6 have numerous people in informal settlement while a few are formally settled in serviced stands. All ward seven people are informally settled in unserviced stands.

The Zimbabwe Homeless People's Federation has over 40 000 people with 27 chapters countrywide and has a Memorandum of Understanding with the Ministry of National Housing and Social Amenities of how their federation works. The members who are largely women provide cheap labour to build their own houses whilst they contract an expert builder to supervise their work. They also involve council inspectors who come at every stage of building and assess whether their structures are in line with the recommended standards.

Rentals are paid to the council by all landowners. Lodgers pay \$25 to landlords while the landlords in turn pay \$12 to the Local Board. Every landowner pays these rates irrespective of whether their stands are among those serviced by the board or not. The burden of servicing the wards has been thrust on everybody's shoulder.

ZHPF got stands from the council, which was in charge of developing the land and members were allocated stands by ZHPF. Members in the ZHPF normally assist in the settlement of debts for orphans who would have lost their parents. However, the Council does not write off any debt and expect the children to carry over the debt and pay up outstanding arrears.

Funding is the problem that the council is facing and has crippled development in the area at the moment. Currently, there are over 300 000 people who are informally settled and as such, Government intervention is necessary and unavoidable if the town is to develop and meet the standards required by the Urban Councils Act. The Federation reiterated that Epworth Local Board should not be treated as a town like Chitungwiza since 300 000 people are still informally settled.

It was submitted to the Committee that the administration of the housing projects were politicized and that there was an element of the involvement of the external hand which ought to be stopped if housing projects were to be successfully realized. There was also an issue of overcrowding in the area and there is need for government to intervene and help the Board to acquire nearby farms.

The Ministry officials, in view of the above submissions, pointed out that the Ministry would incorporate the recommendations from the Victoria Falls Housing Convention and that it was also considering reviewing the National Housing Policy and ensure that Zimbabwe is in line with international standards. The Ministry hoped to incorporate some of the following issues;

- a) Ensuring 0% eviction rate in the country to ensure that the poor are protected in societies.
- b) Ensuring that the Community Based Organizations pay about 20% of the total cost of land.
- c) Instituting policies to ensure that the vulnerable groups are accommodated, because as of now, the policies are inhibitive and do not guarantee housing to the poor.

### **c) Kariba Town**

It was submitted to the Committee that the ZHPF was originally given one stand on which they were to demonstrate their ability to built houses for the people in their Federation. The model house was built in 2002 and has 5 rooms with water and sewer system in place. After this house was built, Kariba Council was satisfied with the effort done by the Federation and it was allocated stands in the Batonga and Garikayi area a take over from the Garikai/Hlalani Kuhle.

The Committee witnessed that the Batonga beneficiaries were staying in temporary shelters built of scrap metals on their stands with the permission from the Local Authority. This was done as a way to assist the poor to build their houses first, without having to pay any rental charges while they pay rates only to the Town Council.

The ZHPF was allocated virgin land and they managed to develop stands in the Batonga area on their own with technical assistance from the Kariba Council, especially on laying the water and sewer pipes as well as the development of roads. The land was sold at half the total price because it was virgin and required the Federation to develop it on behalf of the council. There were 27 houses connected to the

sewer system whilst the others were to be connected as soon as the work was completed. Some areas were water logged and required special foundations that were very expensive for the members of the Federation.

The Committee also toured the Garikayi Residential Area and observed the following:

The Garikayi area was being developed but members had a major challenge of big rocks that were discovered during the development stages and that hindered their progress. The committee observed that the rocks were such a challenge for the ZHPF to remove because they required expensive machinery and manpower that were an extra expense to the poor.

The Committee was told that the co-operative was allocated land that was not serviced in 2003. The Co-operative developed the land using their own funds and contracted the services of the town engineers and town surveyors. During the servicing of the land, they were met with several challenges such as huge rocks and swampy areas, which were very expensive to service.

It was submitted to the Committee that Local Authorities are running out of land for housing development, as was the case with Kariba Town Council. The committee is of the opinion that more land ought to be acquired for settlement to alleviate housing shortages. There are instances, where there were delays in the approval of the Master Plans from local authorities and the Committee implores the Physical Planning Department to expedite the process of the Master Plan approval.

The Committee concluded that the biggest challenge in Zimbabwe is that housing is not taken as a basic human right and thus would not be accorded the priority it deserves from the Government. The poor people who stay in slums are normal people who do not live in such situations as a matter of choice but are forced by circumstances and as such, the Government should fight hard to address the situation so as to restore dignity to its people.

#### **d) Overall observations**

It was interesting to note that the whole process mirrored the community through effective participation and the community owned and identified with the development. Communities were the



agents and actors of development rather than mere beneficiaries. Thus, they developed a strong sense of ownership of both their successes and failures. Community involvement significantly reduced the cost of housing development projects and made them affordable through contributions in the form of “sweat equity”.

A striking aspect that was witnessed by the Committee was the Federation’s strategy that put women in the forefront in all the activities that addressed homelessness and poverty. They led the process of problem identification and development of solutions to both household and community issues. Women worked side-by-side with lead builders as they assisted in the construction of houses. The reason put forward was that women bear most of the challenges of and are hit hard by poverty. The other reason was that, women were given that space to balance this previously marginalized group. Thus, if women’s lives are changed, the whole community changes.

#### **e) Wild Geese Lodge Workshop**

It was submitted to the Committee that the extent of homelessness is reaching unsustainable levels in social, environmental and economic terms and that the protection of people’s housing rights is seriously lagging behind. The right to housing underpins other social and economic rights and infrastructure is the backbone of an effective and efficient housing delivery process.

It was presented to the Committee that Local Authorities require about 35 000 hectares for housing alone though they are currently incapacitated to deliver their mandate in terms of housing delivery by the withdrawal of donor support, disappearance of the housing sector funding, inability of banks to provide mortgage loans and skills flight.

The Committee noted that it is difficult for any citizen to enjoy other basic rights like health, education and the right to participate in one’s development without secure and adequate housing. It is likewise difficult to effectively reduce extreme poverty without addressing human settlement shortcomings.

The Committee regrets that there are no clear institutional mechanisms that enjoin public institutions to plan for and respond to human settlement development issues at both local and national levels.

## **5. Recommendations**

From the findings made by the Committee, there are four major areas that recommendations can be made as follows.

### **a) Land and Security of Tenure**

As a matter of policy, emphasis is made on the development of full services first before plots are occupied. This has impacted negatively on the fast delivery of land and this has been the case with the low income groups visited by the committee. Poor communities can only afford infrastructure services on an incremental basis as has been shown above. The committee's recommendation is that Government adopts alternative models such as ecological sanitation to allow the poor to develop houses and accelerate housing delivery. The Committee also recommends that the Government ensure during land allocation that a balance be struck by the Local Authorities, in land allocation between the CBOs and the private developers. The Government needs to address the issue of security of tenure so that children continue to benefit from the settlements even after their parents die.

### **b) Infrastructure**

As evidenced by the great initiatives of the ZHPF, the committee recommends that measures be put in place by the Government to subsidize the provision of on-site and off-site infrastructure. Recognition of the strategy of incremental development would facilitate the revision upwards of the development periods. Incremental development ought to be accepted by the Government and viewed as a normal way of development for organized low income groups. In view of the fact that the provision of housing is the responsibility of Government, it is the Committee's feeling that Government work in partnership with Community Based Groups on housing issues even in the planning process.

It is worth noting that, transporting construction materials from the suppliers to communities is very expensive and prohibitive to low income housing development. The committee recommends that subsidies be put in place for communities wishing to transport their building materials. Subsidies may not necessarily be money alone but the cost of development can also be cut, for instance, through approval fee exemptions on bulk standard plans or offering of engineering services to CBOs' developmental work. In addition, the government can incorporate and promote innovative low cost housing designs or plans which make it cheaper to construct houses.

### **c) Finance**

Notwithstanding the savings for housing schemes witnessed by the Committee, the Government can also avail alternative financial options for housing for the poor, and this will alternatively improve the pace at which construction projects are developed. This window can take the form of a Housing Development Bank controlled and owned by Community Based Organizations. This housing finance ought to be channeled directly to the Community Based Organizations.

Further compounding the plight of the poor in housing is the fact that there is no budgetary allocation to housing, mechanisms that were set up such as the IDBZ have largely failed to cater for the needs of low income earners; currently there is lack of clarity on how to access resources from this institution. Housing has been given limited recognition by the congested IDBZ because it caters for too many interests. Therefore, the Committee recommends for a budgetary allocation from the fiscus and to receive a 10% budget allocation towards housing to augment and boost funds of the low income group raised through housing saving schemes.

In recognition of the contribution of women in the ZHPF to housing development the Committee recommends that the Government increases the quota of disadvantaged and socially excluded groups accessing social housing , such as the elderly, people with disabilities, people living with HIV and AIDS, disadvantaged women and child headed households.

The Committee, however, acknowledges and appreciates the Government's efforts through the Ministry of Finance for allocating US25 Million dollars in the 2010 Budget as seed money for National Housing Development Loan Facility, officially launched on the 24th September 2010, which operates as a revolving fund, and that US16 million dollars has been disbursed from the Infrastructural Development Bank of Zimbabwe (IDBZ). The national Housing Loan Facility would be complimented by the National Housing Loan Guarantee Scheme that has been resuscitated by the injection of US2 Million dollars as seed capital from the fiscus. The National Housing Loan Guarantee Scheme would afford the beneficiaries the capacity to borrow from financial institutions. The Minister of National Housing and Social Amenities called for project proposals from local authorities to be submitted for appraisal and prioritization so as to come up with projects in every province.

The Committee recommends for the updating of the housing waiting lists for the beneficiation of the housing loans and calls upon Local Authorities to have layout plans and engineering drawings approved to benefit from this development.

#### **d) Legislation and Policy**

The Committee is aware that the Ministry of National Housing and Social Amenities is in the process of reviewing the National Housing Policy which will be availed in due course. As this is a very welcome and noble development, relevant policy framework and monitory structures need to be established and to guarantee a pro-poor housing policy.

The importance of shelter for all citizens cannot be over emphasized. Bearing in mind that Zimbabwe is a signatory to the Universal Declaration of human Rights of 1948, where housing is mentioned among other rights as a basic human right, it is opportune and expedient that housing and infrastructure development be enshrined in our new constitution. The Committee recommends that housing should be enshrined in the new constitution under the bill of rights as a basic human rights issue.

Over and above the fact that it is government's first and foremost priority to deal with the problem of housing, there are obvious reasons and benefits of enshrining housing in the new constitution as outlined below.

#### **I) Reasons**

Providing for housing in the constitution compels public institutions to effectively plan for and respond to human settlement issues.

- It creates institutional mechanisms for responding to human settlement development issues at both local and national levels.
- It gives Local Authorities a clear and appropriate mandate on housing.
- It creates a basis for the strengthening of organizations involved in human settlement development and management.
- It simplifies and strengthens specific and allied housing legislation, policies and programs.

#### **II) Benefits**

- Providing for housing in the constitution deepens democracy and broadens development by increasing security, dignity and reducing vulnerability of citizens. It creates a clear empowering framework through communities or citizens to articulate their demand for human settlement services to the

central Government and Local Authorities thus reducing homelessness, destitution and enhancing our national image.

- Providing for housing in the constitution frames the adaptation of the Universal Declaration of Human Rights and the Habitat 11 Agenda and empowers the Legislature and the Executive in terms of enacting legislation, policies, standards and bye-laws, for instance, the ongoing process of reviewing the National Housing Policy stands to benefit from the constitutionalisation of housing hence ensure state responsiveness and allows the broadening of alternative and more particularly human settlement and management approaches.
- Providing for housing in the constitution instructs the national and local budget framework to adequately support human settlement planning, development and management enabling the government to set aside a determinate resource percentage for human settlement development and management and guarantee allocations of funds to housing projects. Current constraints in funding, available designs, technology and implementation of maintenance models will be addressed.
- Providing for housing in the constitution enables the Ministry of National Housing and Social Amenities to efficiently and effectively carry out its role in coordinating research, monitoring and evaluation activities in relation to the promotion, enjoyment and production of housing rights. Thus, it creates an effective tool for local, national and international resource mobilization and ensures effective and efficient use of land earmarked for human settlement development.
- It contributes to the national vision of providing sustainable human settlement by allowing the application of participatory processes throughout the development cycle, that is, - planning, design, technology selection, implementation and management of infrastructure and housing development –as well as the management processes.

## **6) Conclusion**

In a nutshell, human life revolves around habitat issues. Social, political and economic progress is never attainable if human settlement issues are sidelined. Provision of adequate housing and access to basic social services should be the Government's top priority in order to eradicate extreme poverty in our nation, attract investment and bring confidence and stability into the housing sector.

